

**Illinois Department of Revenue
Regulations**

Title 86 Part 435 Section 435.150 Ineligibility for License
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TITLE 86: REVENUE

**PART 435
CHARITABLE GAMES ACT**

Section 435.150 Ineligibility for License

- a) The following are ineligible for any license under the Act:
- 1) *Any person who has been convicted of a felony within 10 years of the date of the application;*
 - 2) Any person who has been convicted of a violation of Article 28 (Gambling) of the Criminal Code of 1961 [720 ILCS 5/Art.];
 - 3) *Any person who has had any license issued under the Bingo License and Tax Act, Illinois Pull Tabs and Jar Games Act or Charitable Games Act revoked by the Department;*
 - 4) *Any person who is or has been a professional gambler; for example, one who has declared himself to be a professional gambler on an income tax return, or who has been convicted of a gambling offense in another jurisdiction;*
 - 5) *Any person found gambling in a manner not authorized by this Act, participating in such gambling, or knowingly permitting such gambling on premises where an authorized charitable games event is being or has been conducted. (Section 9 of the Act) These acts are deemed to have been committed by a person when any determination issued by the Department (e.g., fine, suspension or revocation) regarding these events has become final;*
 - 6) Any business or organization in which a person defined in subsections (a)(1), (2), (3), (4) or (5) above has a proprietary, equitable, or credit interest, or in which the person is active or employed;
 - 7) *Any business or organization in which a person defined in subsections (a)(1), (2), (3), (4) or (5) above is an officer, director, or employee, whether compensated or not; (Section 7 of the Act)*
 - 8) *Any organization in which a person defined in subsections (a)(1), (2), (3), (4) or (5) above is to participate in the management or operation of charitable games (Section 7 of the Act);*
 - 9) Any unlicensed person engaging in any activities required to be licensed under the Act. These acts are deemed to have been committed when

any determination issued by the Department (e.g., fine, confiscation) regarding these events has become final;

10) Any person submitting any application, supporting documentation, return, or report containing statements which the person knows, or should know, to be false;

11) Any person which, when required pursuant to the Act or this Part, has failed to file or submit any report, return, application, or documentation, or which has failed to pay any fee, tax, penalty or interest due the Department for any period during which the person has a valid license issued under the Act;

12) *Any person which fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any other tax Act administered by the Department.* [20 ILCS 2505/39b47].

b) The ineligibility of a person under subsections (a)(6), (7) or (8) above shall continue so long as any person defined in subsections (a)(1), (2), (3), (4) or (5) above maintains with the person a relationship causing ineligibility. The ineligibility of a person under subsection (a)(9) above shall continue for a period of five years from the date the unlicensed activities were discontinued. The ineligibility of a person under subsections (a)(1), (2), (3), (4), and (10) above is permanent. The ineligibility of a person under subsections (a)(11) and (12) above shall continue until the required information has been provided or the amounts owed the Department have been paid.

(Source: Amended at 21 Ill. Reg. 3978, effective March 14, 1997)